

## UNITED STATES DISTRICT COURT

for the

Western      District of North Carolina

United States of America

v.

)

) Case No: 0419 3:21CR00032-001

Alberto Manuel Lara-Zuniga

)

) USM No: 77216-408Date of Original Judgment: 3/29/2022

)

Date of Previous Amended Judgment: \_\_\_\_\_

)

(Use Date of Last Amended Judgment if Any)

) Pro se

) Defendant's Attorney**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

*(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment dated 4/5/2022, shall remain in effect.

**IT IS SO ORDERED.**

Signed: April 8, 2024

  
Frank D. Whitney  
United States District Judge

Effective Date:  
(if different from order date)

**This page contains information that should not be filed in court unless under seal.**  
*(Not for Public Disclosure)*

DEFENDANT: Alberto Manuel Lara-Zuniga

CASE NUMBER: 3:21CR00032

DISTRICT: Western District of North Carolina

**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**

Previous Total Offense Level: 31 Amended Total Offense Level: \_\_\_\_\_

Criminal History Category: III Criminal History Category: \_\_\_\_\_

Previous Guideline Range: 135 to 168 months Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.

**III. FACTORS CONSIDERED UNDER USSG § 1B1.10 AND 18 U.S.C. § 3553(a) (*See Chavez-Meza v. United States, 138 S.Ct. 1959 (2018)*)**

Defendant is not eligible for a sentence reduction under Amendment 821 to the United States Sentencing guidelines because “Status Points” were not applied in the calculation of his criminal history score and he is not a “Zero-Point Offender” who meets the criteria of revised § 4C1.1 of the Sentencing Guidelines.